



# United States Department of the Interior

## BUREAU OF LAND MANAGEMENT

Utah State Office

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Salt Lake City, UT 84101-1345

<http://www.blm.gov/utah>



In Reply Refer To:  
3100 (UT-922)  
UTU90774

SEP 27 2019

CERTIFIED MAIL – RERURN RECEIPT REQUESTED  
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## DECISION

Crescent Point Energy US Corp.	:	Oil and Gas Lease
555 17 <sup>th</sup> Street, Suite 1800	:	UTU90774
Denver, CO 80202-3905	:	

### Suspension of Operations and Production

On March 19, 2019, in *WildEarth Guardians, et al. vs. Zinke*, No. 1:16-cv-01724-RC (*WEG v. Zinke*), the U.S. District Court for the District of Columbia issued a decision holding, among other things, that the offering and sale of certain oil and gas leases on Bureau of Land Management (BLM)-managed public lands in Wyoming did not comply with the National Environmental Policy Act (NEPA). Specifically, the court found that the NEPA documents the BLM relied on in offering and selling the leases did not adequately assess potential impacts involving greenhouse gas (GHG) emissions and climate change.

In *Living Rivers, Southern Utah Wilderness Alliance, and Center for Biological Diversity v. Hoffman*, (4:19-cv-00074), filed in the U.S. District Court for the District of Utah, the Plaintiffs allege that the BLM violated NEPA in offering and selling 130 leases, including the above-referenced lease, at certain competitive lease sales (November 2014, December 2016, December 2017, March 2018, and December 2018), and raise similar arguments concerning GHG emissions and climate change.

Based on the parallels between the current lawsuit and *WEG v. Zinke*, and the BLM's review of the NEPA documents underlying the competitive lease sales referenced above, the BLM has concluded that it is necessary to suspend the above-referenced lease and complete further environmental analysis under NEPA. At such time, the BLM will issue a new decision concerning this suspension of operations and production (SOP) of the above-referenced lease.

This SOP is effective October 1, 2019. No lease operations may transpire on the leases, the terms of the leases are tolled, and lease rentals are suspended while this SOP is in place.

### Appeal Rights

This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 C.F.R. Part 4 and the enclosed Form 1842-1. If an appeal is taken, the notice of appeal must be filed in this office (at the address shown on the enclosed Form) within 30 days from receipt of this decision. The appellant has the burden of showing that the decision appealed from is in error.

If you wish to file a petition for a stay pursuant to 43 C.F.R. Part 4, Subpart B §4.21, during the time that your appeal is being reviewed by the Board, the petition for a stay must accompany your notice of appeal. A petition for a stay must show sufficient justification based on the standards listed below. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

### Standards for Obtaining a Stay

Except as otherwise provided by law or other pertinent regulations, a petition for a stay of a decision pending appeal shall be evaluated based on the following standards:

1. The relative harm to the parties if the stay is granted or denied,
2. The likelihood of the appellant's success on the merits,
3. The likelihood of immediate and irreparable harm if the stay is not granted, and
4. Whether the public interest favors granting the stay.

Copies of the notice of appeal, petition for stay, and statement of reasons also must be submitted to each party named in this decision and to the Office of the Solicitor, Intermountain Region, 125 South State Street, Suite 6201, Salt Lake City, Utah 84138, at the same time the original documents are filed in this office. Parties who purchased parcels subject to any appeal from this decision must be served with a copy of any notice of appeal, petition for stay, and statement of reasons.

If you have any questions, please contact Robin Naeve, Fluid Mineral Branch Chief, at (801) 539-4254 or [rnaeve@blm.gov](mailto:rnaeve@blm.gov).

**Kent Hoffman**

Kent Hoffman  
Deputy State Director  
Division of Lands and Minerals

Enclosure

cc:

James Karkut  
Office of the Regional Solicitor  
U.S. Department of the Interior  
125 S. State Street, Suite 6201  
Salt Lake City, UT 84138

Jessica Bowlen  
Office of Natural Resources Revenue  
MS 63230B  
P.O. Box 25165  
Denver, CO 80225-0165

BLM District Managers – Green River  
BLM Field Managers – Vernal

bc:

Lease Files  
UT-920 Reading File

UT-922:LWilcken:09/23/2019:3103